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9 Attorneys for Petitioners
10 24 HOUR FITNESS USA, INC. and SPORT FITNESS CLUBS OF
11 AMERICA, INC.

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 24 HOUR FITNESS USA, INC., a
15 California corporation dba 24 HOUR
16 FITNESS; SPORT AND FITNESS
17 CLUBS OF AMERICA, INC., a California
18 corporation dba 24 HOUR FITNESS,

19 Petitioners,

20 vs.

21 STEPHEN RANDOLPH,

22 Respondent.

23 Case No. 2:11-cv-2003-PMP-CWH

24 **NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

25 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Petitioners 24 HOUR FITNESS USA, INC. dba
26 24 HOUR FITNESS and SPORT AND FITNESS CLUBS OF AMERICA, INC. dba 24 HOUR
27 FITNESS (collectively "24 Hour Fitness") by and through their counsel of record, hereby give
28 notice of their voluntary dismissal without prejudice of this action against Respondent, Stephen
Randolph ("Respondent"). In support of this notice, Petitioner would note that no answer or motion
for summary judgment has been filed in this matter by Respondent.

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1 24 Hour Fitness requests that the clerk terminate this action with each party to bear their own
2 attorney's fees and costs with respect to this action.
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4 Dated: October 5, 2012 *+L*

5 Respectfully submitted,
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8 WENDY MEDURA KRINCEK, ESQ.
9 DUSTIN L. CLARK, ESQ.
10 LITTLER MENDELSON, P.C.

11 Attorneys for Petitioners
12 24 HOUR FITNESS USA, INC. and SPORT
13 FITNESS CLUBS OF AMERICA, INC.

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15 IT IS SO ORDERED.
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17 _____
18 PHILIP M. PRO
19 UNITED STATES DISTRICT JUDGE
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Dated: October 9, 2012.